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## Rules, Regulations, Orders

### TITLE 6—AGRICULTURAL CREDIT FARM CREDIT ADMINISTRATION

[FCA 102]

#### THE FEDERAL LAND BANK OF WICHITA SPECIAL INTEREST RATES ON CERTAIN FEDERAL LAND BANK LOANS

Title 6, Code of Federal Regulations, is amended by adding the following new section:

"SEC. 29.30 *Special interest rates on certain Federal land bank loans.*—The following interest rates, to wit:

(1) For loans through national farm loan associations, one and one-half per centum per annum in excess of the interest rate in the last series of consolidated Federal farm loan bonds, such interest rate not to exceed six per centum per annum;

(2) For direct loans, one-half of one per centum per annum in excess of the interest rate approved for loans through national farm loan associations under (1) preceding; and

(3) For loans under Sec. 25 (b) of the Farm Credit Act of 1937 (50 Stat. 711, 12 U. S. C., Supp. III, 724) through national farm loan associations, the capital stock of which is impaired, one-fourth of one per centum per annum less than the interest rate approved for direct loans under (2) preceding;

shall be charged and collected on all loans secured by first mortgage on:

(A) Land used for the raising of live-stock, in estimating the earning power and in establishing the value of which leases or permits for the use of other lands were taken into consideration and were a factor in determining the amount of the loan; and

(B) A farm property, a substantial part of the earnings from which is from orchard crops; on applications approved

for loans on and after June 20, 1938. (Sec. 12 "Second," 39 Stat. 370, as amended, 12 U. S. C. 771 "Second"; Sec. 7 (b), 39 Stat. 365, as amended, 12 U. S. C. 723 (b); Sec. 25 (b), 50 Stat. 711, 12 U. S. C., Supp. III, 724; 6 CFR 10.330.1.) [Res. Bd. Dir., June 20, 1938.]"

[SEAL]      FEDERAL LAND BANK  
OF WICHITA,  
By ROY S. JOHNSON,  
President.

[P. R. Doc. 38-2842; Filed, September 28, 1938; 12:13 p. m.]

### TITLE 20—FISH AND GAME BUREAU OF FISHERIES

[No. 251-24-14]

#### AMENDMENT OF ALASKA FISHERY REGULATIONS

SEPTEMBER 26, 1938.

By virtue of the authority contained in the act of June 26, 1906 (34 Stat. 478, 480), as amended by the act of June 8, 1924 (43 Stat. 464), as amended by the act of June 18, 1926 (44 Stat. 752), as amended by the act of April 16, 1934 (48 Stat. 594), the regulations for the protection of the fisheries of Alaska published in Department of Commerce Circular No. 251, twenty-fourth edition, issued under date of February 15, 1938, together with subsequent regulations, are hereby amended by the following regulation:

#### KODIAK AREA

*Salmon fishery.*—Regulation No. 11 is amended so as to permit commercial fishing for salmon between Old Harbor and Kodiak in the period from 6 o'clock antemeridian October 1 to 6 o'clock postmeridian October 15.

[SEAL]      DANIEL C. ROPER,  
Secretary of Commerce.

[P. R. Doc. 38-2844; Filed, September 28, 1938; 12:48 p. m.]

13 P. R. 451, 2222 DL

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## TITLE 25—INDIANS

### OFFICE OF INDIAN AFFAIRS

[Circular No. 3266]

#### COMMITMENT TO ST. ELIZABETHS HOSPITAL

SEPTEMBER 12, 1938.

#### To All Superintendents:

Hereafter, when commitment of mentally ill Indians to St. Elizabeths Hospital, Washington, D. C., is desired, the following procedure must be had:

Notice, in writing, shall be given to the person whose commitment is sought, and to his nearest immediate relatives, of an open hearing to be had before the Superintendent, which shall be attended by at least two qualified physicians selected by him, for the purpose of investigating the sanity of the person proposed to be committed. Such notice must specify the day and hour of the proposed hearing, and shall be issued not less than three nor more than ten days in advance of the hearing; except that in cases of emergency involving the well-being of the patient or the safety of the patient's family or the community, a hearing may be held on less than three days' notice. A copy of the notice shall be posted on the bulletin board at the Agency in order that any other member of the tribe desiring so to do may attend such hearing. A copy of the notice shall also be sent to the Tribal Council or other governing body, if any. Representatives of such Council or governing body may attend the hearing and may, if they desire, submit an advisory report supplemental to that of the Superintendent. A copy of the notice shall accompany the report and other papers in the case when submitted.

Following the hearing, a complete report of the proceedings had should be forwarded to the Indian Office for appropriate action, together with the usual certificate of physical examination on Form 5-230, signed by at least two physicians.

Circular No. 2974 of January 29, 1934, is hereby abrogated.

JOHN HERRICK,

*Assistant to the Commissioner.*

Approved, September 17, 1938.

OSCAR L. CHAPMAN,

*Assistant Secretary.*

[F. R. Doc. 38-2839; Filed, September 28, 1938; 9:48 a. m.]

## TITLE 27—INTOXICATING LIQUORS

### FEDERAL ALCOHOL ADMINISTRATION DIVISION

[Regulations No. 5, Amendment No. 7]

#### AMENDING THE DISTILLED SPIRITS LABELING REGULATIONS TO RESTRICT THE APPLICATION THEREOF TO WHISKEYS PRODUCED ON OR AFTER MARCH 1, 1938

Pursuant to the provisions of Section 5 (e) of the Federal Alcohol Administration Act, as amended, Regulations No. 5, Relating to Labeling and Advertising of Distilled Spirits,<sup>1</sup> as amended, are further amended as follows:

Article III, Section 34 (d) of said regulations is amended to read:

(d) In the case of whiskey (as defined in Article II, Section 21, Class 2) and American type whiskey, produced on or after March 1, 1938, which, in whole or in part, is treated with wood chips through percolation or otherwise, during distillation, rectification, or storage, there shall be stated in direct conjunction with the class and type designation the phrase "Colored and flavored with wood chips."

[SEAL]

W. S. ALEXANDER,  
*Administrator.*

Approved, this 27th day of September 1938.

H. MORGENTHAU, JR.,  
*Secretary of the Treasury.*

[F. R. Doc. 38-2838; Filed, September 27, 1938; 4:06 p. m.]

## TITLE 46—SHIPPING

### BUREAU OF MARINE INSPECTION AND NAVIGATION

#### AMENDMENTS TO RULES AND REGULATIONS FOR ISSUANCE OF CERTIFICATES OF SERVICE AND EFFICIENCY, CONTINUOUS DISCHARGE BOOKS, CERTIFICATES OF IDENTIFICATION, AND CERTIFICATES OF DISCHARGE

By virtue of the authority prescribed by sections 1 and 7 of the act of June 25,

1936 (Public Law No. 808, 74th Congress, 49 Stat., p. 1930), sections 1 and 3 of the act of June 16, 1938 (Public Law No. 647, 75th Congress) and section 1-J of the act of March 24, 1937, (Public Law No. 25, 75th Congress, 50 Stat., p. 49), the following rules and regulations, amending "Rules and Regulations for Issuance of The Certificates of Service and Efficiency, Continuous Discharge Books, Certificates of Identification, and Certificates of Discharge", edition of May 5, 1938,<sup>1</sup> are prescribed for the carrying out of the provisions of section 1 of the foregoing act of June 16, 1938, amending section 13 of the seamen's act of March 4, 1915 (38 Stat., p. 1169) as amended by section 1 of the act of June 25, 1936 (49 Stat., p. 1930), relative to the issuance of certificates of service to able seamen, certificates of efficiency to lifeboat men, certificates of service to qualified member of the engine department, and certificates of service to persons other than able seamen and qualified members of the engine department; and for carrying out of the provisions of section 3 of the act of June 16, 1938 amending the act of March 24, 1937 (Public Law No. 25, 50 Stat., p. 49), amending section 4551 R. S. as amended, relative to the issuance of continuous discharge books, certificates of identification, and certificates of discharge.

#### 738.1—SEC. 1.—GENERAL

Subsection (c) is amended to read as follows:

"(c) Every person employed on any merchant vessel of the United States of 100 tons gross and upward, except those navigating rivers exclusively and the smaller inland lakes, below the rank of licensed officer, shall have a certificate of service issued by a board of local inspectors. No certificate of service or efficiency is required of any person below the rank of licensed officer employed on any unriggered vessel except seagoing barges."

#### 738.2—SEC. 2.—CONTINUOUS DISCHARGE BOOKS AND CERTIFICATES OF IDENTIFICATION

Subsection (a) is amended to read as follows:

"(a) Every seaman employed on any merchant vessel of the United States of 100 gross tons or upward, except vessels employed exclusively in trade on the navigable rivers of the United States, shall be issued, at the option of the seaman, a continuous discharge book or certificate of identification upon application therefor, which shall be retained by him. This book or certificate of identification will bear a number, and this same number shall be shown on all certificates of service or efficiency issued to the holder of the book or certificate of identification. The term 'navigable rivers' shall be held to include all waters over which a vessel inspected and certificated under the General Rules and Regulations prescribed by the Board of Supervising Inspectors for

<sup>1</sup> 1 F. R. 92.

<sup>2</sup> 13 F. R. 1068 DI.



"Rivers" is permitted to be navigated. Provisions of this section are not applicable to unriggered vessels except seagoing barges."

#### 738.3—SEC. 3.—ABLE SEAMAN

This section is amended by the addition of a subsection (dd) headed "Tugs and Towboats", to follow immediately after subsection (d) and subsection (dd) to be followed immediately by the subhead "General", and by the amendment of subsections (i) and (j) as follows:

##### "Tugs and Towboats"

"(dd) Eighteen months' service on deck at sea or on the Great Lakes or on the bays and sounds directly connected with the seas."

##### "General"

"(i) Every person employed in a rating as able seaman on any vessel coming under the provisions of these rules and regulations shall produce a certificate as able seaman to the United States shipping commissioner, United States collector or deputy collector of customs, or master before signing Articles of Agreement. No certificate as able seaman is required of any person employed on any unriggered vessel except seagoing barges, nor on any tug or towboat on the bays and sounds connected directly with the seas."

"(j) Each certificate issued shall state the waters on which the holder is permitted to be employed as an able seaman."

"Certificates issued to seamen under paragraphs (a) and (b) of this section shall be issued for "Any Waters" and shall be green in color."

"Certificates issued to seamen under paragraph (c) shall be for "Any Waters—12 months" and shall be blue in color. (Holders of certificates under this provision are limited to one-fourth of the number of able seamen required by law to be employed on a vessel.)"

"Certificates issued to seamen under paragraph (d) shall be for "Great Lakes—18 months' service" and shall be blue in color. (Holders of certificates under this provision may comprise the required number of able seamen on vessels on the Great Lakes and on the smaller lakes, bays, and sounds.) If the seaman possesses the requisite service for a certificate under paragraph (c), there shall be added "High Seas—12 months."

"Certificates issued to seamen under paragraph (dd) of this section shall be for "Tugs and Towboats Only on the High Seas" and shall be blue in color."

#### 738.4—SEC. 4.—LIFEBOAT MAN

Subsection (f) is amended to read as follows:

"(f) Every person employed in a rating as lifeboat man on any vessel coming under the provisions of these rules and regulations shall produce a certificate as lifeboat man to the United States ship-

ping commissioner, United States collector or deputy collector of customs, or master before signing Articles of Agreement. No certificate of efficiency as lifeboat man is required of any person employed on any unriggered vessel, except seagoing barges."

#### 738.5—SEC. 5.—QUALIFIED MEMBER OF THE ENGINE DEPARTMENT

Subsections (a) and (f) are amended to read as follows:

"(a) A qualified member of the engine department is any person below the rating of licensed officer and above the rating of coal passer or wiper, who holds a certificate of service as such qualified member of the engine department issued by a board of local inspectors of the Bureau of Marine Inspection and Navigation. An applicant for a certificate of service as qualified member of the engine department shall produce to such inspectors definite proof of at least 6 months' service at sea in a rating at least equal to that of coal passer or wiper in the engine department of vessels required to have such certificated men, or proof that he is a graduate of a school ship approved by and conducted under rules prescribed by the Secretary of Commerce, or a graduate of the United States Naval Academy or the United States Coast Guard Academy, or definite proof of at least 6 months' service in a rating at least equal to that of coal passer or wiper in the engine department of tugs or towboats operating on the high seas or Great Lakes or on the bays and sounds directly connected with the seas."

"(f) Every person employed in a rating as qualified member of the engine department on any vessel coming under the provisions of these rules and regulations shall produce a certificate as qualified member of the engine department to the United States shipping commissioner, United States collector or deputy collector of customs, or master before signing Articles of Agreement. No certificate as qualified member of the engine department is required of any person employed on any unriggered vessel, except seagoing barges."

#### 738.6—SEC. 6.—CERTIFICATES OF SERVICE FOR RATINGS OTHER THAN ABLE SEAMAN OR QUALIFIED MEMBER OF THE ENGINE DEPARTMENT

Subsection (g) is amended to read as follows:

"(g) Every person employed in a rating other than able seaman or qualified member of the engine department of vessels coming under the provisions of these rules and regulations shall produce a certificate of service for the capacity in which he is employed to the United States shipping commissioner, United States collector or deputy collector of customs, or master before signing Articles of Agreement. No certificate of service shall be

required of any person employed on any unriggered vessel, except seagoing barges."

Approved, September 28, 1938.

[SEAL]

DANIEL C. ROPER,  
Secretary of Commerce.

[F. R. Doc. 38-2843; Filed, September 28, 1938; 12:48 p. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### INTERSTATE COMMERCE COMMISSION

[Ex Parte No. MC-2]

#### ORDER IN THE MATTER OF MAXIMUM HOURS OF SERVICE OF MOTOR CARRIER EMPLOYEES

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 26th day of September, A. D. 1938.

Upon further consideration of the record in the above entitled proceeding and of petitions for rehearing filed by the American Trucking Associations, Inc., et al., National Association of Motor Bus Operators, Truck Owners Association of California, Arizona Motor Transport Association, Inc., Texas Motor Transportation Association, Oil Field Haulers Division, Mid-Continent Oil Field Haulers Conference, and Midwest Oil Field Carriers Bureau; and good cause appearing therefor:

It is ordered, That this proceeding be, and it is hereby, reopened for further hearing.

It is further ordered, That the effective date of the Commission's order of July 12, 1938, prescribing hours of service regulations applicable to drivers employed by common and contract carriers in interstate and foreign commerce be, and it is hereby, postponed until December 31, 1938, insofar as it applies to common and contract carriers of property and their employees.

It is further ordered, That the effective date of the provision of Rule 5 of the regulations prescribed by said order of July 12, requiring the maintenance of a driver's log be, and it is hereby, postponed until December 31, 1938, insofar as said Rule 5 applies to common and contract carriers of passengers and their employees.

And it is further ordered, That this proceeding be, and it is hereby, assigned for further hearing before Examiner R. W. Snow at the Sherman Hotel, Chicago, Illinois, on November 4, 1938, at 10 A. M. (Standard Time).

By the Commission.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 38-2841; Filed, September 28, 1938; 12:10 p. m.]

\*3 F.R. 1875 D. I.



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*Notices*

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## UNITED STATES MARITIME COMMISSION.

## APPLICATION OF ISTHMIAN STEAMSHIP COMPANY FOR AN OPERATING-DIFFERENTIAL SUBSIDY CONTRACT

## ORDER POSTPONING HEARING

At a session of the United States Maritime Commission, held at its office in

Washington, D. C., on the 27th day of September, A. D. 1938.

*It is ordered,* That the public hearing heretofore ordered to be held on Friday, September 30, 1938,<sup>1</sup> with respect to the application of the Isthmian Steamship Company for an operating-differential subsidy contract, be postponed until Monday, October 31, 1938, at 10:00 A. M., in Conference Room "B," Government Auditorium, Washington, D. C.

<sup>1</sup> 3 F. R. 2260 DL.

*It is further ordered,* That a copy of this order be served forthwith upon the Isthmian Steamship Company and the Dollar Steamship Line and that notice of this postponement be published in the FEDERAL REGISTER immediately.

By the Commission.

[SEAL]

W. C. PEET, Jr.,  
Secretary.

[F. R. Doc. 38-2840; Filed, September 28, 1938, 11:02 a. m.]